



City of Seattle

Department of Planning & Development

D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND REVISED DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3007930
Applicant Name: Sandra Suskic
Address of Proposal: 5900 Airport Way South

SUMMARY OF PROPOSED ACTION

Land Use Application to subdivide one parcel into six parcels of land. Proposed parcel sizes are: A) 57,209 sq. ft., B) 67,445 sq. ft., C) 85,458 sq. ft., D) 8,227 sq. ft., E) 12,873 sq. ft.; and F) 8,023 sq. ft. Existing structure on Parcel C has been demolished under separate permit; other structures to remain.

The following approval is required:

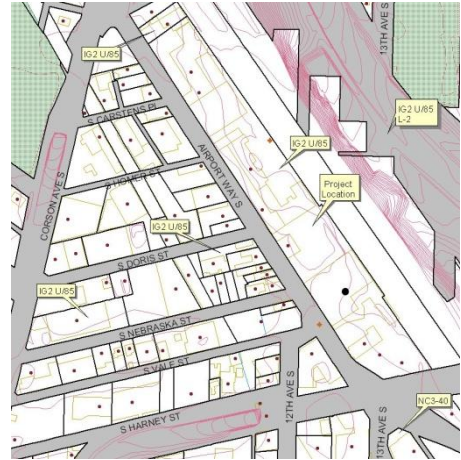
Short Subdivision - to subdivide one existing parcel into six lots as a short subdivision.
(Chapter 23.24 Short Plats, Seattle Municipal Code)

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS
☐ DNS with conditions
☐ DNS involving non-exempt grading, or demolition, or
involving another agency with jurisdiction.

BACKGROUND DATA

Substantive Site Description

The subject site exists as one property located at 5900 Airport Way South. The property has approximately 1,460 feet of street frontage along Airport Way South to the southwest, which is developed with curbs, gutters, and sidewalks on both sides of the street pavement at this location. The site is zoned General Industrial (IG2 U/85), as are the areas adjacent to the north and west/northwest of the site. Areas to the south of the subject property are zoned Commercial (C2-40) and Neighborhood Commercial (NC3-40). Areas to the east of Interstate 5, which is located east of the subject property, are zoned Lowrise (L2).



The property is developed with several brick buildings which support the industrial activities at the subject property. The existing structure (aka the “Ice House”) on proposed parcel C has been demolished under a separate permit. The Ice House was damaged due to a melting ice lens that had formed under the freezer area within the structure. The melting ice had caused an unsafe condition in regard to the structure’s stability. The Director had issued an Emergency Order (Case #1014555) that permitted the Ice House to be demolished prior to the Seattle Dept of Neighborhoods (DON) and the Landmarks’ Preservation Board review and approval. The other existing structures on-site will remain with the exception of post-war additions to the north of the Bottling Plant (Parcel A) and the east side of the General Office (Parcel D) buildings. These additions do not require DON review and approval prior to their removal. Demolition permit #6190783 was issued to permit the proposed demolition of the later additions.

Vehicular access to the site is achieved immediately from Airport Way South, which can be accessed from Corson Avenue South. Access easements across the property will be required for the contemplated parking areas adjacent to the BNSF right-of-way.

The entire site is located in a mapped Liquefaction Environmentally Critical Area (ECA).

Proposal Description

The applicant proposes to short subdivide one subject parcel into six lots. The proposed parcel sizes are: A) 57,209 sq. ft., B) 67,445 sq. ft., C) 85,458 sq. ft., D) 8,227 sq. ft., E) 12,873 sq. ft.; and F) 8,023 sq. ft. The existing “Ice House” structure on parcel C has been demolished under a separate permit; while the other existing structures will remain (two buildings will be modified as discussed above).

Public Comment:

The comment period for this proposal ended on October 31, 2007. During this period, one letter related to this project was received in favor of the short plat application.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, the Director shall, after conferring with appropriate officials, use the following criteria to determine whether to grant, condition, or deny a short plat:

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities and fire protection, as provided in Section 23.53.005;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions in environmentally critical areas;*
6. *Is designed to maximize the retention of existing trees;*
7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*
8. *Conformance to the provisions of Section 23.24.046, Multiple single-family dwelling units on a single-family lot, when the short subdivision is for the purpose of creating two (2) or more lots from one (1) lot with more than one (1) existing single-family dwelling unit.*

Based on the information provided by the applicant, referral comments from the Drainage Section, Fire Department, Seattle Public Utilities (City Light and the Water Department), and review by the Land Use Planner, the following findings are made with respect to the above-cited criteria:

1. *Conformance to the applicable Land Use Code provisions;*

The subject site is zoned for industrial use, with a maximum height limit of 85 feet as provided in SMC 23.50.022. Permitted and prohibited uses in General Industrial zones are detailed in Chart A for SMC 23.50.012. The maximum Floor Area Ratio (FAR) for all General Industrial zones shall be two and one-half (2.5). Exemptions from FAR calculations are provided in SMC 23.50.028.E. As detailed in SMC 23.53.020, when new lots are created or any type of development is proposed in an industrial zone, existing streets abutting the lot(s) shall be required to be improved in accordance with the code. One (1) or more of the following types of improvements may be required: pavement, curb and sidewalk installation, pedestrian walkways, drainage, grading to future ROW grade, design of structures to accommodate future ROW grade, no-protest agreements, planting of street trees and other landscaping. Setbacks may be required in

order to meet the provisions of SMC 23.53.020, improvement requirements for existing streets in industrial zones, and SMC 23.53.030, alley improvements in all zones. Chapter 3.1.1.a of the Seattle Right-of-Way (ROW) Improvements Manual identifies that the existing right-of-way width for the portion of Airport Way South adjacent to the subject site (between South Lucille Street and 13 Avenue South) is 60 feet, with a pavement width of 44 feet. The ROW Improvements Manual requires ROW improvements to 66 feet for this portion of Airport Way South. Pursuant to SMC 23.53.020.B, dedication of additional ROW equal to half the difference between the current ROW and the minimum established ROW is usually required when the street ROW is less than the minimum required ROW. However, in this case, a building setback is required according to SMC 23.53.020.C.1. A no-protest agreement to future street improvements shall also be required as authorized by RCW Chapter 35.43. The agreement shall be recorded with the King County Department of Records and Elections. A condition of approval is provided at the end of this decision to address these criteria.

This site is also a designated Historic Landmark. The Dept of Neighborhoods staff has indicated that Landmarks Preservation Board (Board) review and approval is not required for the proposed short plat. Board review will be required for future redevelopment of the site that will include any new buildings or exterior improvements to existing landmark structures.

2. *Adequacy of access for vehicles, utilities and fire protection, as provided in Section 23.53.005;*

All parcels proposed as part of this subdivision will achieve vehicular and pedestrian access from Airport Avenue South either directly or through ingress/egress easements. Pursuant to SMC 23.54.030.F.3, the number and location of curb cuts will be determined by the Director; however, when the curb cut provides access to a parking area or structure it must be a minimum of fifteen (15) feet wide and a maximum of thirty (30) feet. Within the minimum and maximum widths established in this code section, the Director shall determine the size of the curb cuts. The curbcuts will be determined at a future date as the individual lots are redeveloped. All pedestrian and vehicular ingress/egress easements shall be shown on the face of the final plat map. A condition of approval has been provided at the end of this decision to address these criteria.

Seattle City Light provides electrical service to the properties and has indicated that an easement is not required for overhead and/or underground infrastructure.

The Seattle Fire Department has reviewed and approved this proposal for adequacy of access for emergency vehicles.

3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*

The site area is served with domestic water, sanitary sewer, and storm drain facilities by the City of Seattle. Seattle Public Utilities reviewed this short subdivision application and issued Water Availability Certificate #20071824 on October 16, 2007.

4. *Whether the public use and interests are served by permitting the proposed division of land;*

The proposed short subdivision will meet all the applicable Land Use Code provisions. The proposed development has adequate access for vehicles, pedestrians, utilities, and fire protection. The proposal will also provide adequate drainage, water supply, and sanitary sewage disposal. The public use and interest will be served with this proposal because additional opportunities for redevelopment of an historic landmark with mixed uses would be provided within the City limits as a result of this subdivision. The proposal will meet all applicable criteria for approval of a short plat upon completion of the conditions in this analysis and decision.

5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions in environmentally critical areas;*

The subject site is located in a mapped environmentally critical area as defined in SMC Chapter 25.09. The ECA is classified as a Liquefaction ECA. This ECA type is not included in the referenced ECA code section and does not require an Administrative Conditional Use Permit prior to short plat approval. Therefore, this section is not applicable to the short plat application.

6. *Is designed to maximize the retention of existing trees;*

The subject site does not contain any trees or vegetation; thus, the retention of existing trees is not applicable to this application. Supplemental landscaping will be required as part of the site's future redevelopment. Airport Way South is a designated landscape street (SMC 23.50.016) within the city's industrial areas which will require the planting of additional street trees at the time of each parcels' redevelopment.

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

This short subdivision is not a unit lot subdivision. As such, this section is not applicable to this proposal.

8. *Conformance to the provisions of Section 23.24.046, Multiple single-family dwelling units on a single-family lot, when the short subdivision is for the purpose of creating two (2) or more lots from one (1) lot with more than one (1) existing single-family dwelling unit.*

This short subdivision is not a multiple single-family dwelling unit subdivision. As such, this section is not applicable to this proposal.

Summary – Short Subdivision

Based on information provided by the applicant, referral comments from DPD, Water (SWD), Fire Department (SFD), Seattle City Light, and review by the Land Use Planner, the above cited criteria have been met subject to the conditions imposed at the end of this decision. The lots to be created by this short subdivision will meet all minimum standards or applicable exceptions set forth in the Land Use Code, and are consistent with applicable development standards. As conditioned, this short subdivision can be provided with vehicular access, public and private utilities and access (including emergency vehicles). Adequate provisions for drainage control, water supply and sanitary sewage disposal have been provided for each lot and service is assured, subject to standard conditions governing utility extensions. The proposal site is located in a liquefaction environmentally critical area (ECA); therefore SMC 25.09.240 is not applicable because the liquefaction ECA is not listed as an ECA subject to this requirement. There is no existing vegetation on-site so the proposed plat cannot maximize the retention of existing trees and vegetation. However, as the site redevelops supplemental landscaping and street trees will be required. The public use and interest are served by the proposal since all applicable criteria are met and the proposal creates the potential for additional mixed use opportunities within several Landmark buildings and site within the City.

DECISION – SHORT SUBDIVISION

The proposed Short Subdivision is **CONDITIONALLY APPROVED**

CONDITIONS – SHORT SUBDIVISION

Conditions of Approval Prior to Recording

The owner(s) and/or responsible party(s) shall:

1. Have final recording documents prepared by or under the supervision of a Washington State licensed land surveyor. Each lot, parcel, or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. The property corners shall be identified on the plat and encroachments such as side yard easements, fences, or structures shall be shown. Please make sure that the lot areas of each parcel are included on the recording documents.
2. Submit the recording fee and final recording forms for approval.
3. Please show any and all vehicular and/or pedestrian easements required to provide adequate ingress and egress to the lots and buildings as needed for future development on the face of the plat. Please also identify any easements needed to utilize BNSF right-of-way. The new parcel's legal descriptions should contain all easements needed to provide ingress and egress between the parcels and Airport Way South.

4. As a condition of issuance of applicable City permit(s) pursuant to Title 23 of the Seattle Municipal Code, certain improvements must be made to the public ROW or, in lieu of completing the improvements; the applicant/owner must execute a covenant consenting to the formation of a local improvement district for the improvements of such public ROW.
5. This condition relates specifically to proposed Parcel D and its existing building. One of the next four options must be done so the Ordinance/Structural review can be approved:
a) a 2-hour firewall is constructed and the final inspection is approved for this construction (prior permit #6195606 needs to be renewed), b) the portion of the existing building that can be demolished is removed (prior permit #6190783 needs to be renewed) and the final inspection has been approved, c) the proposed property line is moved to be a minimum of 10 feet from the existing building; or d) or separation is achieved through alternative as approved by the Director.
6. The Ice House/Stock House building on proposed Parcel C must be removed from the short plat since it was demolished under permit #6165912 and is no longer in existence.

For the Life of the Project

The owner(s) and/or responsible party(s) shall:

7. Attach a copy of the recorded short subdivision to all permit application plan sets for any application for a permit to construct, demolish, or change use. The applicant shall also imbed all the conditions of this short plat approval on the plan cover sheet for subsequent building permits.

Signature: _____ (signature on file)
Lindsay King, Senior Land Use Planner
Department of Planning and Development

Date: January 13, 2011